

HOUSE No. 4381

Message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to payment for use of ambulance services (House, No. 3917, amended).
August 6, 2012.

The Commonwealth of Massachusetts



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GOVERNOR

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August 6, 2012.

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth of Massachusetts, I am returning to you for amendment House Bill No. 3917, "An Act Relative to Payment for Use of Ambulance Services."

This bill requires insurers to reimburse ambulance companies directly for emergency ambulance services rendered regardless of whether those companies are members of the insurers' contracted networks. As I stated when I returned a similar provision for amendment in 2010, I am concerned about the impact of this legislation on health care costs because it lacks guidelines governing reasonable charges for ambulance services. Such guidelines are important to my Administration's commitment to controlling health care costs and premiums.

For these reasons, I recommend that House Bill No. 3917 be amended as follows:

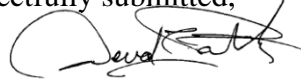
By striking out subsections (c), (d) and (e) and inserting in place thereof the following three subsections:-

(c) Payments to an ambulance service provider under subsection (b) shall be at a rate equal to the lower of the insurer's usual and customary charge for the ambulance service rendered to the insured, or 3 times the then current published rate for the ambulance service rendered to the insured as established by the Centers for Medicare and Medicaid Services under Title XVIII of the Social Security Act (Medicare).

(d) An ambulance service provider receiving payment for emergency ambulance services in accordance with subsections (b) and (c) shall be deemed to have been paid in full for the emergency ambulance services provided to the insured, and shall have no further right or recourse to further bill the insured for said emergency ambulance services with the exception of coinsurance, co-payments or deductibles for which the insured is responsible under the insured's insurance policy or insurance contract.

(e) No term or provision of this section shall be construed as limiting or adversely affecting an insured's right to receive benefits under any insurance policy or insurance contract providing insurance coverage for emergency ambulance services. No term or provision of this section shall create an entitlement on behalf of an insured to coverage for emergency ambulance services if the insured's insurance policy or insurance contract provides no coverage for emergency ambulance services.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", written over a horizontal line.

DEVAL L. PATRICK,
Governor.